

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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KINGSLEY RODGERS,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.
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MEMORANDUM AND ORDER

05-CV-5521 (CBA)

ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

Plaintiff consents to the City's request to have until March 9, 2006, to respond to the complaint. The request is granted.

Plaintiff also agrees to provide the "Designation" form necessary "to obtain the court records of the arrest" (1/4/06 Letter of Steven M. Weiner), but objects to providing any medical record authorization forms or "any other information" unless defendants agree to provide plaintiff with pre-answer discovery. *Id.* However, all of the information sought by the City is from third-party providers (such as physicians) and/or is not available without a release or authorization from plaintiff. In this Court's experience, delayed disclosure of these kinds of records often prolongs section 1983 litigation; therefore, early processing of the requisite authorizations benefits all parties, as well as the Court.

Accordingly, the City's request for authorizations is granted in its entirety. Plaintiff shall, upon receipt thereof, promptly execute and return to defense counsel authorizations for the District Attorney, Criminal Court and police records pertaining to plaintiff's underlying arrest and prosecution, as well as medical/psychological releases if and only if plaintiff is claiming physical or psychiatric injuries or treatment. Immediately upon receipt of any of the released

materials, defense counsel shall furnish copies to counsel for plaintiff.

SO ORDERED.

**Dated: Brooklyn, New York
January 4, 2006**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**